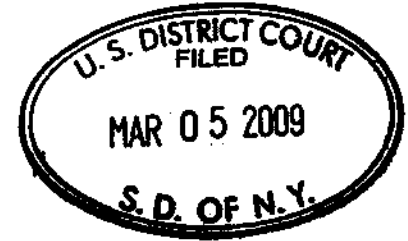


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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RICHARD W. DRAKE,

Plaintiff,

CIVIL JUDGMENT

-against-

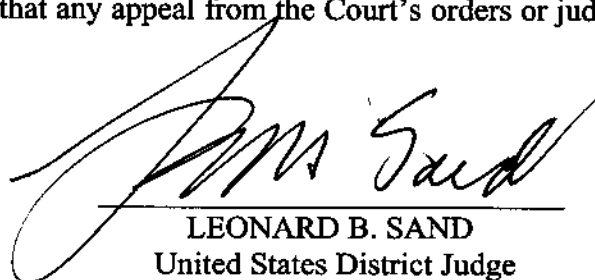
08 Civ. 3635 (KMW)

NEW YORK STOCK EXCHANGE INC.,

Defendant.
-----X

By order dated April 16, 2008, Plaintiff, who is appearing *pro se*, was directed to submit an amended complaint within sixty (60) days of the date of that order. By order dated July 7, 2008, the Court granted Plaintiff an extension of time to comply with the Court's April 16, 2008 order and directed Plaintiff to submit an amended complaint in compliance with the Court's April 16, 2008 order within sixty (60) days of the Court's July 7, 2008 order. On September 5, 2008, Plaintiff filed a motion for relief from a judgment or order under Fed. R. Civ. P. 60(b). By order dated January 14, 2009, Plaintiff's motion was denied and Plaintiff was instructed to submit an amended complaint in compliance with the Court's April 16, 2008 order within thirty (30) days of the Court's January 14, 2009 order. As Plaintiff has failed to submit an amended complaint within the time allowed, it is,

ORDERED, ADJUDGED AND DECREED: That this action is dismissed. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's orders or judgment would not be taken in good faith.


LEONARD B. SAND
United States District Judge

Dated: **MAR 05 2009**
New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.